

WINSTEAD

#131 kg for  
refund  
08-28-03

July 8, 2003

direct dial: 214/745-5374  
jmurphy@winstead.com

Refund Division  
U.S. Patent and Trademark Office  
Office of Finance  
2011 Crystal Drive, Crystal Park I, Suite 307  
Arlington, Virginia 22202

OFFICE OF FINANCE  
REFUND BRANCH  
2003 JUL 25 PM 4:34  
US PATENT & TRADEMARK  
OFFICE

Re: Request for Refund of Deposit Account No. 23-2426  
of Winstead Sechrest & Minick

To whom it may concern:

We request a refund of \$465.00 to Winstead Sechrest & Minick PTO Deposit Account No. 23-2426. Serial Number 09/660257 on the attached June, 2003 Deposit Account Statement at sequence 206 highlighted in yellow shows a \$465.00 debit for Three Month Extension of Time to File Request.

Payment was sent with the papers filed. Copies of our Check No. 008625 in that amount \$465.00 are attached along with copies of the SB/17 Fee transmittal and SB/22 EOT for your convenience in verifying our refund request. Therefore, no debit should have been made to our deposit account.

We appreciate your attention to this matter. If you have any questions, please do not hesitate to contact my secretary, Sarah Lenz at slenz@winstead.com.

Sincerely yours,



James J. Murphy

JJM:stl  
Enclosure

DALLAS\_I\3837803\I  
22601-P002US 07/08/2003

5400 RENAISSANCE TOWER  
1201 ELM STREET  
DALLAS, TEXAS 75270

PH 214.745.5400  
FAX 214.745.5390  
WINSTEAD.COM

WINSTEAD SECHREST & MINICK  
Attorneys and Counselors  
A Professional Corporation

Austin, Dallas, Fort Worth,  
Houston, Mexico City,  
The Woodlands, Washington, DC



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Page**Deposit Account Statement**

Requested Statement Month: June 2003  
 Deposit Account Number: 232426  
 Name: WINSTEAD SECHREST & MINICK P.C.  
 Attention:  
 Address: 5400 RENAISSANCE TOWER  
 City: DALLAS  
 State: TX  
 Zip: 75270

| DATE  | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT       | BAL         |
|-------|-----|--------------------|---------------------------|-------------|-----------|-------------|
| 06/02 | 47  | 5664268            | 40285-2                   | 8021        | -\$80.00  | \$11,389.00 |
| 06/02 | 48  | 5664268            | 40285-2                   | 8021        | -\$40.00  | \$11,429.00 |
| 06/04 | 4   | 10361873           | 003498.P017               | 1202        | \$108.00  | \$11,321.00 |
| 06/10 | 177 | 10456443           | 16455-P003C2              | 9204        | -\$375.00 | \$11,696.00 |
| 06/13 | 275 | 6509790            | 2836-P132US               | 1811        | \$100.00  | \$11,596.00 |
| 06/19 | 130 | 60147831           | 999995471/21094P004WOIL   | 8007        | \$20.00   | \$11,576.00 |
| 06/25 | 7   | 09877897           | 23804-P006US C1           | 1814        | \$110.00  | \$11,466.00 |
| 06/27 | 2   | 09657673           | 003498.P005               | 1202        | \$18.00   | \$11,448.00 |
| 06/30 | 206 | 09660257           | 22601-P0020US             | 2253        | \$465.00  | \$10,983.00 |

|             |          |           |             |
|-------------|----------|-----------|-------------|
| START       | SUM OF   | SUM OF    | END         |
| BALANCE     | CHARGES  | REPLENISH | BALANCE     |
| \$11,309.00 | \$821.00 | \$495.00  | \$10,983.00 |

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BL 859 423-880-45 EXPRESS Mail Receipt

Duplicate for PTO Deposit Account

PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 465.00

## Complete if Known

Application Number 09/660,257  
Filing Date 09/12/2000  
First Named Inventor Smith  
Examiner Name Gellner  
Art Unit 3643  
Attorney Docket No. 22601- P002US

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 23-2426  
Deposit Account Name Winstead Sechrest & Minick P.C.

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 750                      | 2001 375                      | Utility filing fee     |          |
| 1002 330                      | 2002 165                      | Design filing fee      |          |
| 1003 520                      | 2003 260                      | Plant filing fee       |          |
| 1004 750                      | 2004 375                      | Reissue filing fee     |          |
| 1005 160                      | 2005 80                       | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  - 20\*\* =  X  =   
Independent Claims  - 3\*\* =  X  =   
Multiple Dependent  =

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1202 18                       | 2202 9                        | Claims in excess of 20                                     |          |
| 1201 84                       | 2201 42                       | Independent claims in excess of 3                          |          |
| 1203 280                      | 2203 140                      | Multiple dependent claim, if not paid                      |          |
| 1204 84                       | 2204 42                       | ** Reissue independent claims over original patent         |          |
| 1205 18                       | 2205 9                        | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130                      | 2051 65                       | Surcharge - late filing fee or oath  |          |
| 1052 50                       | 2052 25                       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                      | 1053 130                      | Non-English specification  |          |
| 1812 2,520                    | 1812 2,520                    | For filing a request for ex parte reexamination                            |          |
| 1804 920*                     | 1804 920*                     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                   | 1805 1,840*                   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                      | 2251 55                       | Extension for reply within first month                                     |          |
| 1252 410                      | 2252 205                      | Extension for reply within second month                                    |          |
| 1253 930                      | 2253 465                      | Extension for reply within third month                                     | 465.00   |
| 1254 1,450                    | 2254 725                      | Extension for reply within fourth month                                    |          |
| 1255 1,970                    | 2255 985                      | Extension for reply within fifth month                                     |          |
| 1401 320                      | 2401 160                      | Notice of Appeal   |          |
| 1402 320                      | 2402 160                      | Filing a brief in support of an appeal                                     |          |
| 1403 280                      | 2403 140                      | Request for oral hearing   |          |
| 1451 1,510                    | 1451 1,510                    | Petition to institute a public use proceeding                              |          |
| 1452 110                      | 2452 55                       | Petition to revive - unavoidable   |          |
| 1453 1,300                    | 2453 650                      | Petition to revive - unintentional   |          |
| 1501 1,300                    | 2501 650                      | Utility issue fee (or reissue)   |          |
| 1502 470                      | 2502 235                      | Design issue fee   |          |
| 1503 630                      | 2503 315                      | Plant issue fee  |          |
| 1460 130                      | 1460 130                      | Petitions to the Commissioner  |          |
| 1807 50                       | 1807 50                       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                      | 1806 180                      | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                       | 8021 40                       | Recording each patent assignment per property (times number of properties) |          |
| 1809 750                      | 2809 375                      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 750                      | 2810 375                      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 750                      | 2801 375                      | Request for Continued Examination (RCE)                                    |          |
| 1802 900                      | 1802 900                      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 465.00

## SUBMITTED BY

Name (Print/Type) James J. Murphy, Esq.

Registration No. 34,503  
(Attorney/Agent)

(Complete if applicable)

Telephone 214 745 5374

Signature

*James J. Murphy*

Date

6-26-03

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Express Mail Receipt No. GL - 859 423 880-US

PTO/SB/22 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|   |                                 |  |
|---|---------------------------------|--|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)    |                                 | Docket Number (Optional)<br>22601-P002US |
| In re Application of Smith, et al.                      |                                 |  |
| Application Number<br>09/660,257                        | Filed<br>09/12/00               |  |
| For<br>Methods & Mixtures for Treating Distressed Trees |                                 |  |
| Group Art Unit<br>3643                                  | Examiner<br>Gellner, Jeffrey L. |  |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- |  |           |
|--|-----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))               | \$ _____  |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2))              | \$ _____  |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ 930.00 |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))             | \$ _____  |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))             | \$ _____  |

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 465.00

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 23-2426 of Winstead.  
I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☒ attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 34,503

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6-26-03

Date



Signature

James J. Murphy, Esq.

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.